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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,367	11/29/2001	Jerry Lahti	552.121US01	6955

7590 03/24/2005  
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EXAMINER

REID, CHERYL M

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/998,367

Applicant(s)

LAHTI, JERRY

Examiner

Cheryl M. Reid

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4, 34, 46-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Moore.

#### **Claims 1- 4**

- Moore teaches embedding an application identifier corresponding to the network application, and associated application access parameters including an application server address of one of the plurality of applications servers...(Col 1, lines 50-60, Col 4, lines 25-30); software module at the mobile terminal to recognize the application identifier, providing one or more user agents at the mobile terminal, and accessing the network application using at least, ...accessing the network application...accessing the network application at the addressed application server by the mobile terminal....(Col 4, lines 50-62, Col 6, lines 20-30).

#### **Claim 34, 46,47**

- Moore teaches: provisioning element to provide one or more provisioning files, wherein at least one of the provisioning files includes an application identifier corresponding to the target application and application access; provisioning server to transmit a data signal embodied in a carrier wave readable by a mobile terminal and encoding provisioning information, wherein the provisioning information comprises an application identifier corresponding, embedding an application identifier corresponding to the network application, and associated application access parameters including an application server address of one of the plurality of applications servers (Col 1, lines 54-60, Col 2, lines 1-8, Col 3, lines 40-41).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore.

**Claim 17**

- Moore teaches about configuring the downloaded application access user agent (Col 4, lines 60-63, Col 5, lines 1-5, Fig.2, item 206). Moore does

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not explicitly teach of recognizing the application identifier if the downloaded application access user agent is not pre-configured to recognize the application identifier in order to identify the application server address. Extending Moore's invention to include the above-mentioned feature would result in a more efficient system if would still be capable of recognizing the application identifier regardless of the pre-configuration capabilities. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

4. Claims 5-8, 10-13, 14-16, 18, 19-24, 26-27, 30-33, 35-39, 41-42, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore as applied to claim 1 above, and further in view of Luna.

**Claims 5-7, 24, 39**

- Moore does not explicitly teach of : transferring the provisioning information comprises transmitting the provisioning ..... the provisioning information from a provisioning source comprises transmitting the provisioning information via a push provisioning ... a push provisioning process comprises transmitting the provisioning information via a Wireless Application Protocol (WAP) push provisioning procedure..... Luna teaches on these aspects (Paragraph [0017]). Moore's invention relates to

communicating messages in a wireless environment generated by applications (Col 1, lines 45-50). Adding the above-mentioned feature to Moore's invention would result in a more efficient and versatile system because it would incorporate the use of WAP, which is a common protocol in wireless communications. It is for this reason that one of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications.

**Claim 8**

- Moore teaches of.....information comprises equipping the mobile terminal with a component that stores the provisioning information (Col 1, lines 57-60).

**Claim 10-12**

- Moore does not explicitly teach of :.... network connectivity settings with the network application to be accessed via the application server,.... network application comprises associating with the network application one or more of a quality of service, network access point parameter settings, and proxy parameter settings,..... access characteristics of the connection between the mobile terminal and the application server identified by the application server address using one or more of the associated application access parameters. Luna teaches on these

aspects (Paragraph [0025]). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed in Claim 19.

**Claim 13**

- Moore does not explicitly teach of ... access parameters comprise one or more of authentication credentials... Luna teaches on this aspect (Paragraph [0014]). Adding the above mentioned feature to Moore's invention would result in a more efficient and reliable system because this would increase security and prevent unauthorized access. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

**Claim 14 - 16 and 18**

- Moore teaches the associated application access parameters comprise information used to download and downloading the application access user agent to the mobile terminal... and the downloaded application access user agent (Col 4, lines 60-63, Col 5, lines 1-5, Fig.2, item 206).

**Claim 19-22**

- Moore does not explicitly teach of : .... application access parameters comprise one or more of an identification of an access protocol to communicate..... specification of application resources available on the network application hosted by the application server identified by the application server address..... parameters further comprise a human-readable label for the application resources available on the network application. Luna teaches on these aspects (Paragraph [0022],[0029], Page 4, 2<sup>nd</sup> Col, lines 1-10). Adding the above-mentioned modification would result in a more efficient system because it would provide information concerning the type of documents and programming language that is used, allowing the user(system) to adjust to meet requirements. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

**Claim 23**

- Moore teaches of .... associated application access parameters into a provisioning information payload (Fig, 5).

**Claim 27**

- Moore does not explicitly teach of .... network application comprises a standardized application. Luna teaches on this aspect (Page 5, 1<sup>st</sup> Col, lines 50-60). One of ordinary skill in the art at the time of invention would



have been motivated to make the above-mentioned modifications because this would have resulted in a more efficient and versatile system.

**Claim 26,30-33,41**

- Moore does not explicitly teach of : ....the provisioning procedure is effected in connection with provisioning the mobile terminal for one or more of a new service and an upgraded service,..... the application server address comprises one of a network address and a hostname,... comprises a Uniform Resource Locator (URL),.... the URL comprises a path in addition to the application Luna teaches on this aspect... the application identifier comprises a Uniform Resource Identifier (URI) ...(Paragraph [0003], [0025]). It should be noted that although Luna did not explicitly state , URI in his teachings, this is implicitly taught because a URL is part of a URI or a form of a URI. One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 5.

**Claim 35-38**

- Moore does not explicitly teach of .. provisioning network element comprises a provisioning server coupled to the network,.... a provisioning server coupled to the network and implementing push technology, a push

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proxy gateway (PPG) ...Luna teaches on these aspects (Paragraph [[0025], Fig 1). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 5.

**Claim 42**

- Moore teaches of .... provisioning network element comprises a component that stores...(Col 1, lines 55-60).

**Claim 44**

- While Moore teaches of wireless communication systems, he does not explicitly teach state .. one of a wireless telephone, a personal digital assistant (PDA), and a mobile computer. Luna teaches on these aspects (Fig 1). One of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications because this would have resulted in a more efficient and versatile system.

5. Claims 9,25,40, 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore as applied to claim1 above, and further in view of Mulligan.

**Claim 9, 43**

- Moore does not explicitly teach of ... one of a Subscriber Identity Module (SIM), WAP identify module (WIM), and a smart card to the mobile terminal....Mulligan teaches on this aspect (Paragraph [0046]). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 13.

**Claim 25,40**

- Moore does not explicitly teach of ... application identifier comprises an Internet registered port number. Mulligan teaches on this aspect (Paragraph [0046]). One of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications because this would have resulted in a more efficient and versatile system.

6. Claims 28-29,45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore as applied to claim 1 above, and further in view of Dusse.

**Claim 28-29,45**

- Moore does not explicitly teach of the provisioning procedure comprises a bootstrap provisioning process.... the application identifier and the associated application.. one user agent pre-configured to recognize the

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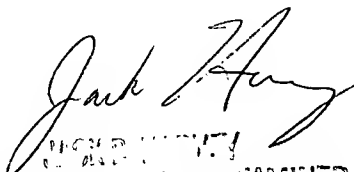
embedded application identifier ...Dusse teaches on these aspects (Paragraph [0032-0033]). Adding the above mentioned feature to Moore's invention would result in a more efficient and reliable system. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M. Reid whose telephone number is 571 272 3903. The examiner can normally be reached on Mon- Fri (7-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (571)272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cmr

  
SUPERVISOR